

# Licensing Sub-Committee Agenda



To: Councillors Pat Clouder, Jerry Fitzpatrick and Robert Ward

A meeting of the **Licensing Sub-Committee** which you are hereby summoned to attend, will be held on **Tuesday, 23 July 2019** at **10.30 am** in **Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX**

JACQUELINE HARRIS BAKER  
Council Solicitor and Monitoring Officer  
London Borough of Croydon  
Bernard Weatherill House  
8 Mint Walk, Croydon CR0 1EA

Thomas Downs  
020 8726 6000 x86166  
thomas.downs@croydon.gov.uk  
[www.croydon.gov.uk/meetings](http://www.croydon.gov.uk/meetings)  
Monday, 15 July 2019

Members of the public are welcome to attend this meeting.  
If you require any assistance, please contact the person detailed above, on the righthand side.

N.B This meeting will be paperless. The agenda can be accessed online at [www.croydon.gov.uk/meetings](http://www.croydon.gov.uk/meetings)

## **AGENDA – PART A**

**1. Appointment of Chair**

To appoint a Chair for the duration of the meeting.

**2. Apologies for Absence**

To receive any apologies for absence from any members of the Committee.

**3. Disclosure of Interests**

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

**4. Urgent Business (if any)**

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

**5. Licensing Act 2003: Application for a Premises Licence**  
(Pages 5 - 48)

**6. Exclusion of the Press and Public**

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

“That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.”

## **PART B**

<b>REPORT TO:</b>	<b>LICENSING SUB COMMITTEE</b> <b>Tuesday 23 July 2019</b>
<b>SUBJECT:</b>	<b>GAMBLING ACT 2005 – APPLICATION FOR PREMISES LICENCE – ADULT GAMING CENTRE</b>
<b>LEAD OFFICER:</b>	<b>Executive Director, Place Department</b>
<b>CABINET MEMBER:</b>	<b>Councillor Hamida Ali, Cabinet Member for Safer Croydon &amp; Communities</b>
<b>WARDS:</b>	<b>New Addington South</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT:</b>	
<b>This report is specific to this application and has no implications on the Council’s Corporate Policies.</b>	
<b>FINANCIAL SUMMARY:</b>	
<b>This application is being processed as part of normal duties carried out by the Department with no additional costs involved.</b>	
<b>FORWARD PLAN KEY DECISION REFERENCE NO.: N/A</b>	

**For general release**

<b>1.</b>	<b>RECOMMENDATIONS</b>
1.1	The Sub-Committee is asked to determine whether to grant the application for an Adult Gaming Centre Premises Licence at 51 Central Parade, New Addington, Croydon, CR0 0JD.

**2. EXECUTIVE SUMMARY**

2.1 The purpose of this report is to advise the Sub-Committee that an application has been received for a Premises Licence, (Adult Gaming Centre) under the Gambling Act 2005 (“the Act”). The application has drawn representations from interested parties, therefore a hearing is required.

**3. DETAIL**

3.1 The applicant and those making representations have been notified of the hearing in accordance with the Gambling Act 2005 (Proceedings of Licensing Committees and Sub Committees) (Premises Licences and Provisional Statements) (England and Wales) Regulations 2007 (“the Regulations”). Information to accompany the notice of hearing was provided to the applicant and the interested parties in accordance with the Regulations.

3.2 Appendix A to this report provides details of the application.

#### **4. FINANCIAL CONSIDERATIONS**

##### **1 Revenue and Capital consequences of report recommendations**

There are no direct financial implications associated with this report, subject to the risks at 4.2 & 4.3. This application is being processed as part of normal duties and therefore the work associated with it is contained within the departmental budget.

##### **2 The effect of the decision**

The decision of the Sub-Committee may be subject to appeal and/or Judicial Review

##### **3 Risks**

An appeal against a decision of the Sub-Committee or a Judicial Review of the application process may present financial risks to the Council with regard to any award of costs against it.

##### **4 Options**

The options available are: to grant the application, to vary the application, with or without further conditions, or to refuse the application.

##### **5 Savings/ future efficiencies**

None identified.

6 (Approved by: Flora Osiyemi, Head of Finance Place, Residents & Gateway)

#### **6. COMMENTS OF THE SOLICITOR TO THE COUNCIL**

6.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that Section 153 of the Gambling Act provides that the sub-committee must aim to permit the use of premises for gambling (and therefore grant applications) in so far as they think they are in accordance with any relevant code of practice under section 24 of the Act, in accordance with any relevant guidance issued by the Gambling Commission under section 25 of the Act, are reasonably consistent with the licensing objectives and are in accordance with the Council's Statement of Principles.

6.2 The Sub-committee must consider any relevant representations received from interested parties or responsible authorities and determine whether to grant the application, in so far as it is reasonably consistent with the licensing objectives and is in accordance with the Council's Statement of Principles, any relevant code of practice under section 24 of the Act and in accordance with any relevant guidance issued by the Gambling Commission under section 25 of the Act.

- 6.3 Where the Sub-Committee is minded to grant the application it is necessary to comply with the provisions set out in The Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 which specify the mandatory and default conditions which will be applicable to the application, depending on the type of licence applied for.

(Approved by Sandra Herbert, Head of Litigation and Corporate law on behalf of the Director of Law and Governance and Deputy Monitoring Officer).

## **7. HUMAN RESOURCES IMPACT**

- 7.1 The Human Resources impact of supporting the Licensing Hearings will be contained within the budgeted establishments of the Democratic and Legal Services and Licensing Teams.

- 7.2 (Approved for and on behalf of Sue Moorman, HR Director, by Jennifer Sankar, Head of HR Place)

## **8. EQUALITIES IMPACT**

- 8.1 The arrangements for the Licensing Hearings seek to ensure that all applicants and other interested parties receive a fair hearing and that the process is accessible to all groups within the community.

## **9. ENVIRONMENTAL AND DESIGN IMPACT**

- 9.1 The effective implementation of the Gambling Act 2005 will contribute to an improved environment for local residents and other stakeholders.

## **10. LICENSING OBJECTIVES IMPACT**

- 10.1 The licensing objectives contained in the Act are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
  - Ensuring that gambling is conducted in a fair and open way
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 10.2 Officers comments and relevant representations on the impact of the application on these objectives appear in Appendix A to the application.

## **11. HUMAN RIGHTS IMPACT**

- 11.1 The Human Rights 1998 (HRA) requires public bodies to ensure everything they do is compatible with Convention Rights and makes it unlawful for a public authority to act incompatibly with those Rights. **Article 6 (A6)** of the European Convention on Human Rights (ECHR) is the right to a fair trial. The key elements of this include:
- The right to a *fair* hearing;

- The right to a *public* hearing;
- The right to a hearing before an *independent and impartial tribunal*;
- The right to a hearing *within a reasonable time*.

11.2 When hearing an application, the proceedings of a non-judicial body such as the Licensing Sub Committee, as opposed to an actual Court, need not meet the full requirements of A6 where there is a right of appeal from the Licensing Sub Committee to a Court that does meet the full A6 standards and can consider all aspects of the case (even if that does not include a full re-hearing of the facts).

11.3 So, while it is good practice to make a hearing before the Licensing Sub Committee as A6 compliant as possible, it will not be a breach of the HRA if it is not. Further, the hearing of all applications is subject to the principles of Natural Justice and the requirement for decisions to be 'Wednesbury reasonable'.

## **12. FREEDOM OF INFORMATION/DATA PROTECTION CONSIDERATIONS**

12.1 Protocols agreed in relation to Licensing Hearings are within the Council's Constitution and will be accessible as part of the Council's Publication Scheme maintained under the Freedom of Information Act.

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**CONTACT OFFICER:** Michael Goddard, Licensing Manager, Place Department, ext. 61838

**BACKGROUND DOCUMENTS:** Application Forms  
Licensing Hearings Protocol and Procedure

**1. The Application**

- 1.1 This report concerns an application made under section 159 of the Gambling Act 2005 (the Act) by Future Leisure Limited for a Premises Licence (Adult Gaming Centre) at 51 Central Parade, New Addington, CR0 0JD.
- 1.2 An application for a premises licence may only be made by a person who:
- Holds an operating licence which authorises him to carry on the activity in respect of which the premises licence is sought and
  - Who has a right to occupy the premises to which the application relates.
- 1.3 An Adult Gaming Centre (AGC) premises licence authorises a premises to be used for making available Category B, C and D gaming machines. An AGC premises licence may make available for use a number of Category B machines not exceeding 20% of the total number of gaming machines that are available for use at the premises and any number of Category C or D machines. Category B machines should be restricted to sub category B3 or B4 machines but not B3A machines.
- 1.4 Taken from the Gambling Commission Guidance to Local Authorities, attached at Appendix A1 is the Summary of Machine Provisions by premises.
- 1.5 Attached at Appendix A2 is the Summary of Gaming Machine Categories and Entitlements.
- 1.6 Attached at Appendix A3 is Part 9 from the Gambling Commission Guidance to Local Authorities which concerns Premises Licence conditions.
- 1.7 Attached at Appendix A4 is Part 21 from the Gambling Commission Guidance to Local Authorities which concerns Adult Gaming Centres and this also includes the Mandatory conditions that would automatically be attached to an Adult Gaming Centre Premises Licence, if granted. Some types of gambling premises licence (such as for Betting Shops) also have default conditions attached to them but there are currently no default conditions specific to Adult Gaming Centres. This also means, from a licensing aspect, that Adult Gaming Centres are not restricted in the hours that gambling facilities can be provided at the premises.
- 1.8 Attached at Appendix A5 is a copy of the application for the premises licence and a risk assessment the applicant has produced to accompany their application.
- 1.9 Would the sub committee please note that, following discussions with the Police Licensing Officer (responsible authority), the applicant has amended their application to have the conditions at Appendix A6 placed on the licence, if granted and the sub committee will note that operating hours have been specified in these conditions (8).
- 1.10 In addition, would the sub committee please note that, following discussions with the Council's Pollution Team (responsible authority), the applicant has

amended their application to have the conditions at Appendix A7 placed on the licence, if granted.

## **2. Relevant representations**

2.1 Interested parties have made representations on this application and copies are attached at Appendix A8.

2.2 An interested party is defined in the Gambling Act 2005 as someone who –

- lives sufficiently close to the premises to be likely to be affected by the authorised activities
- has business interests that might be affected by the authorised activities
- represents persons in either of these two groups.

2.3 The applicant has been provided with a copy of the representations made and both the applicant and those making representations have been made aware of the date, time and location of the Sub Committee hearing.

## **3. Policy Considerations**

3.1 Under the terms of the Act, the Council has published a Statement of Principles. This is available on the Council website at [www.croydon.gov.uk](http://www.croydon.gov.uk). Hard copies are also available from the Council's Place Department and copies of the policy will also be available at the licensing sub committee hearing. The following paragraphs from the Statement are considered particularly relevant with regard to this application:

### **PART A**

#### **1. The Licensing Objectives**

*In exercising their functions under the Gambling Act 2005 ('the Act'), licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act which the authority seeks to promote through this Statement of Principles. The licensing objectives are:*

- *Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime*
- *Ensuring that gambling is conducted in a fair and open way*
- *Protecting children and other vulnerable persons from being harmed or exploited by gambling.*

*It should be noted that the Gambling Commission has stated: 'The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling.'*

*The Council is aware that, as provided by Section 153 of the Act, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:*

- *in accordance with any relevant code of practice issued by the Gambling Commission; and*
- *in accordance with any relevant guidance issued by the Gambling Commission; and*



- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of principles.

## **PART B PREMISES LICENCES**

### **1. General Principles**

*Premises licences are subject to the requirements set-out in the Act and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate. The Guidance makes clear that Licensing authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions.*

*It is appreciated that as per the Guidance for local authorities "moral or ethical objections to gambling are not a valid reason to reject applications for premises licences" In addition, whereas previous legislation required that the grant of certain gambling permissions should take account of whether there was unfulfilled demand for the facilities, this is no longer the case and each application must be considered on its merits without regard to demand.*

**Location** - *The Council is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can be. As per the Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.*

*Croydon is a very diverse borough, both culturally and socio economically and also has areas where levels of crime and disorder and anti social behaviour are more prevalent than in others.*

*The Gambling Commission's Licence Conditions and Codes of Practice (LCCP), which were revised and published in April 2018, formalise the need for operators to consider local risks.*

*In this regard, operators are specifically referred to the Social Responsibility (SR) code 10.1.1 which requires all premises licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in the Council's Statement of Principles.*

*This Council expects all operators, especially when making new premises licence applications or, when applying to vary the terms of an existing premises licence, if there are significant changes in local circumstances and when there are significant changes at a licensee's premises that may affect their mitigation of local risks, to prepare robust and considered assessments of the local risks to the licensing objectives posed by the provision of gambling facilities at the application premises and address any factors that may have a negative impact on the licensing objectives. It is not possible to provide a complete list of factors to consider in relation to the risk assessment but the following are examples of the factors the Council would expect gambling operators to consider –*

- *The location of schools, sixth form colleges and youth centres in the local area of the licensed or application premises, with reference to the potential risk of under age gambling or the direct exposure to gambling by under age persons as a result and the mitigation measures the operator intends to introduce to reduce any such risks;*
- *The location of hostels or places offering support services for vulnerable people, such as those with addiction issues or who are homeless in the local area of the licensed or application premises. The Council expects operators to give very careful consideration to the suitability of locating new licensed premises close to such sensitive premises, or to varying the terms of existing licenses in such areas, given the greater risk of problem gambling amongst these groups and would expect to see clear and robust mitigation measures from the operator on how they would intend to reduce any such risks;*
- *Any reasonably available information about issues with problem gambling in the area of the licensed or application process. In assessing the negative impact premises may have on the licensing objectives, the Council will expect operators to include consideration of the existing density of licensed gambling premises and the status of the night time economy in the area local to their licensed or application premises. The Council will expect operators to particularly assess the risk of gambling being a source of crime, being associated with crime or being used to support crime in that area and to set out any mitigation measures they would intend to introduce to reduce any such risks.*
- *The Council will expect operators, perhaps in prior discussions with the Police, to assess patterns of crime, disorder and anti-social behaviour in the area local to the licensed or application premises, specifically that linked to gambling premises and set out the measures they believe will mitigate any risks of their premises having a negative impact on those crime etc. patterns.*

*While none of the above preclude any application being made and each application will be decided on its merits, it is expected that any application will demonstrate how potential risks/concerns can be overcome.*

*The Council will expect licensees to share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise at the request of the licensing authority, such as, for example, when there is an inspection of a premises. Ideally, a copy of the current local area risk assessments will be kept at the licensed premises.*

### **Local Area Profiles**

*The Council is aware of the Gambling Commission recommendation that licensing authorities map and prepare their own assessments of local risks, in the form of local area profiles. Such profiles will be prepared and be available for operators to utilise when preparing their risk assessments through a specific request to the Council licensing team.*

*Undoubtedly, such local areas profiles will develop over time but at the outset, to assist operators, they will incorporate data on the matters listed above.*

**Duplication with other regulatory regimes** - The Council will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. The Council will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will, however, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise. Operators are also reminded of the 'Sui Generis Use Class' status of betting shops in the Planning context which came into being in 2016.

**Licensing objectives** - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, the Council has considered the Guidance to local authorities:

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime - The Council is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Therefore, where an area has known high levels of organised crime this authority will carefully consider the effect on the licensing objectives of gambling premises being located in this area and whether additional conditions may be appropriate. The Council is aware of the distinction between disorder and nuisance and in determining whether disorder may occur, will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction.

Ensuring that gambling is conducted in a fair and open way – The Council has noted that licensing authorities would generally not be expected to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.

Protecting children and other vulnerable persons from being harmed or exploited by gambling – The Council notes that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The Council will therefore consider, as suggested in the Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include:

- proof of age schemes
- supervision of entrances
- supervision of machine areas
- physical separation of areas
- appropriate notices/signage
- location of entry

The Council will make itself aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific premises. The Council is aware of the concerns set out by the Gambling Commission in their briefing paper entitled 'Gambling-related harm as a public health issue' dated February 2018 and of the advice to local authorities from the Local Government Association in their document entitled 'Tackling gambling related harm – A whole Council approach' dated July 2018.

*The Council is also aware of the British Beer & Pub Association (BBPA) Code of Practice concerning the social use of gaming machines in pubs, clubs and amusement arcades to protect the interests of children and vulnerable people. The BBPA code requires that all gaming machines in pubs, clubs and arcades shall:*

- display the GamCare helpline number*
- have clear signage forbidding play by under 18's and*
- be supervised to ensure that there is no underage play.*

*As regards the term “vulnerable persons” it is noted that the Gambling Commission is not seeking to offer a definition but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” In relation to this licensing objective, the Council will consider each application on a case by case basis. Should a practical definition prove possible in future then this policy statement will be updated.*

**Conditions** – *The starting point when considering an application is that it will be granted subject only to the mandatory and default conditions and additional conditions will only be imposed where there is evidence of a risk to the licensing objectives, such that there is a need to supplement the existing mandatory and default conditions.*

*Any additional conditions attached to licences will be proportionate and will be:*

- relevant to the need to make the proposed building suitable as a gambling facility;*
- directly related to the premises and the type of licence applied for;*
- fairly and reasonably related to the scale and type of premises; and*
- reasonable in all other respects.*

*Decisions upon additional conditions will be made on a case by case basis, although there will be a number of measures that the Council will consider utilising should there be a perceived need. There are specific comments made in this regard under some of the licence types below.*

*The Council may consider measures to meet the licensing objectives, such as:*

- leaflets giving assistance to problem gambling to be clearly displayed in all areas of the premises*
- self exclusion forms to be made available for customer use*
- machines such as fixed odds betting terminals to clearly display odds*
- ATM or cash terminals to be sited away from gaming machines*
- Details of the GamCare helpline and website to be displayed prominently in premises*

*The Council will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Guidance.*

*The Council will also ensure that where category C or above machines are on offer in premises to which children are admitted:*

- *all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;*
- *only adults are admitted to the area where these machines are located;*
- *access to the area where the machines are located is supervised;*
- *the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and*
- *at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.*

*These considerations will apply to premises including buildings where multiple premises licences are applicable.*

*The Government has issued regulations that set out the categories of gaming machines, with the maximum stakes and prizes that apply, and these can be found via the following link:*

[http://www.legislation.gov.uk/ukxi/2007/2158/pdfs/ukxi\\_20072158\\_en.pdf](http://www.legislation.gov.uk/ukxi/2007/2158/pdfs/ukxi_20072158_en.pdf)

*The Council is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Guidance, the Council will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.*

*It is noted that there are conditions which the Council cannot attach to premises licences which are:*

- *any condition on the premises licence which makes it impossible to comply with an operating licence condition;*
- *conditions relating to gaming machine categories, numbers, or method of operation;*
- *conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and*
- *conditions in relation to stakes, fees, winning or prizes.*

**Door Supervisors** – *this Council notes that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protecting children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. Whilst there is currently no apparent evidence that the operation of betting offices requires door supervisors for the protection of the public, this authority will consider making a door supervision requirement with regard to a betting office if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and/or that door supervision is both necessary and proportionate.*

*Where operators and the Council decide that supervision of entrances/machines is appropriate for particular cases, it will need to be decided whether these staff need to be Security Industry Authority (SIA) licensed or not. Furthermore, if a person carries out 'door supervisor' duties but is exempt from the requirement to be licensed by the SIA, the Council will expect that person to be trained to a nationally*

*recognised standard and be able to show that they have undergone relevant and appropriate police records checks. Door supervision will not, however be seen in isolation as the only remedy for concerns and the Council will consider other options, if considered appropriate, to achieve the licensing objectives.*

## **2. Adult Gaming Centres**

*The Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.*

*The Council may consider measures to meet the licensing objectives, such as:*

- Proof of age schemes*
- CCTV*
- Supervision of entrances / machine areas*
- Physical separation of areas*
- Location of entry*
- Notices / signage*
- Specific opening hours*
- Self-exclusion schemes*
- Provision of information leaflets / helpline numbers for organisations such as GamCare.*

*This list is not mandatory, nor exhaustive, and is merely indicative of example measures.*

## **10. Reviews**

*Requests for a review of a premises licence can be made by interested parties or responsible authorities however, it is for the Council to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below, in that the request is:*

- in accordance with any relevant code of practice issued by the Gambling Commission;*
- in accordance with any relevant guidance issued by the Gambling Commission;*
- reasonably consistent with the licensing objectives; and*
- in accordance with the authority's statement of licensing policy.*

*In addition, consideration will be given as to whether the request for review is frivolous, vexatious, would not cause the Council to wish to alter/ evoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.*

*The Council can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.*

3.2 An ordnance survey extract map is attached at Appendix A9 showing the location of the premises.

## Appendix A: Summary of machine provisions by premises

Premises type	Machine category						
	A	B1	B2	B3	B4	C	D
Large casino (machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)					
Small casino (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)					
Pre-2005 Act casino (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead					
Betting premises and tracks occupied by pool betting		Maximum of 4 machines categories B2 to D (except B3A machines)					
Bingo premises <sup>1</sup>				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4		No limit on category C or D machines	
Adult gaming centre <sup>2</sup>				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4		No limit on category C or D machines	
Licensed family entertainment centre <sup>3</sup>						No limit on category C or D machines	
Family entertainment centre (with permit) <sup>3</sup>						No limit on category D machines	
Clubs or miners' welfare institute (with permits) <sup>4</sup>				Maximum of 3 machines in categories B3A or B4 to D			
Qualifying alcohol-licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol-licensed premises (with licensed premises gaming machine permit)						Number of category C-D machines as specified on permit	
Travelling fair						No limit on category D machines	

<sup>1</sup>Bingo premises licence are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. Where a premises licence was granted before 13 July 2011, they are entitled to make available eight<sup>104</sup> category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at bingo premises are restricted to sub-category B3 and B4 machines, but not B3A machines.

<sup>2</sup> Adult gaming centres are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13 July 2011, they are entitled to make available four category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines but not B3A machines.

<sup>104</sup> The Gambling Act 2005 (Gaming Machines in Bingo Premises) Order 2009

<sup>3</sup> Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed FEC gaming machine permit or an FEC premises licence. Category C machines may only be sited within licensed FEC s and where an FEC permit is in force. They must be in a separate area to ensure the segregation and supervision of machines that may only be played by adults. There is no power for the licensing authority to set a limit on the number of machines under the FEC permit.

<sup>4</sup> Members' clubs and miners' welfare institutes with a club gaming permit or with a club machine permit, are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement.

<sup>5</sup> Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.

## Appendix B: Summary of gaming machine categories and entitlements

Category of machine	Maximum stake (from Jan 2014)	Maximum prize (from Jan 2014)
A	Unlimited – No category A gaming machines are currently permitted	
B1	£5	£10,000*
B2	£100	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D – non-money prize	30p	£8
D – non-money prize (crane grab machines only)	£1	£50
D – money prize	10p	£5
D – combined money and non-money prize	10p	£8 (of which no more than £5 may be a money prize)
D – combined money and non-money prize (coin pusher or penny falls machines only)	20p	£20 (of which no more than £10 may be a money prize)

\* With option of max £20 000 linked progressive jackpot on premises basis only



## Part 9: Premises licence conditions

- 9.1 The Act provides that licences may be subject to conditions in a number of ways:
- they may attach automatically, having been set out on the face of the Act
  - they may attach through regulations made by the Secretary of State or Scottish Ministers
  - they may be attached to operating and personal licences by the Commission
  - they may be attached to premises licences by licensing authorities.
- 9.2 Conditions may sometimes be general in nature attaching to all licences or all licences of a particular class, or they may be specific to a particular licence.
- 9.3 Conditions on premises licences should relate only to gambling, as considered appropriate in the light of the principles to be applied by licensing authorities under s.153. Accordingly, if the Commission's Licence Conditions and Codes of Practice (LCCP) or other legislation places particular responsibilities or restrictions on an employer or the operator of premises, it is not appropriate to impose the same through conditions on a premises licence.

### Conditions and authorisations by virtue of the Act

- 9.4 The following paragraphs set out specific sections of the Act that provide for conditions to be attached automatically to premises licences, or for authorisations to be granted automatically. The Secretary of State / Scottish Ministers may make regulations requiring these conditions to be set out on the premises licence, and there is no discretion to decide not to include them or to modify them. The table after paragraph 9.18 summarises which sections of the Act apply to which types of premises licences.

#### S.172 – number of gaming machines

- 9.5 S.172 provides for premises licences to permit a specified number of gaming machines of particular categories in each type of gambling premises. These permissions are set out in detail in Part 16 of this Guidance.

#### S.173 – betting on virtual events

- 9.6 S.173 authorises the holder of a casino premises licence or a betting premises licence to make facilities available for betting on virtual events. This is separate from betting on virtual events by means of a gaming machine. It is intended to cover facilities such as virtual horse and greyhound racing which are person-to-person transactions, involving virtual images that are not displayed on a machine.

#### S.174 – gambling in addition to casino games

- 9.7 S.174 authorises the holder of a casino premises licence for a small or large casino to make available the following types of gambling in addition to casino games:
- equal chance games
  - betting – but not in pre-2005 Act casinos with grandfather rights and only with a betting operating licence
  - bingo – but only in large casinos and only with a bingo operating licence.
- 9.8 For the purposes of the Act, equal chance games are ones which do not involve playing or staking against a bank and in which the chances are equally favourable to all players. Licensing authorities must not restrict the equal chance gaming available nor prohibit casino games that have not been prohibited by the Commission. Part 17 of this Guidance provides details of the casino games authorised by the Commission.

### S.176 – access by children and young persons to casinos

- 9.9 S.176 requires the Commission to issue at least one code of practice about access to casino premises for children and young persons. In particular, the code must:
- specify steps that the premises licence holder must take to ensure that under-18s do not enter casino premises, including ensuring that each entrance to the casino is supervised by at least one person who is responsible for compliance with the code of practice
  - require that, unless the supervisor is certain that a person seeking admittance is an adult, evidence of age must be provided by those seeking to enter the casino or gambling area.
- 9.10 S.176 makes it a condition of the premises licence that the licensee must comply with the code of practice issued by the Commission. Licensing authorities should note that the requirement under s.176 for supervision at each entrance is separate to any other condition that may be attached relating to 'door supervision' more generally.

### S.177 – giving of credit

- 9.11 S.177 attaches a condition to casino premises licences and bingo premises licences that prohibits the licensee from:
- giving credit in connection with the gambling taking place on the premises
  - participating in, arranging, permitting or knowingly facilitating the giving of credit in connection with the gambling on the premises.
- 9.12 However, s.177 does not prevent the licensee from contracting a third party to install cash dispensers (ATMs) on their premises, which may accept both credit and debit cards. Such an arrangement is subject to requirements that the premises licence holder has no other commercial connection in relation to gambling with the provider of the ATMs (aside from the agreement to site the machines), does not profit from the arrangement, and does not make any payment in connection with the machines. All premises licences also include a mandatory condition which requires that any ATM made available for use on the premises must be located in a place that requires any customer who wishes to use it to cease gambling in order to do so<sup>21</sup>.
- 9.13 S.177 deals with the prohibition of credit in respect of casino and bingo premises licences. However equivalent prohibitions are placed on bingo and casino operating licences, as set out in s.81 of the Act, credit and inducements.

### S.178 – door supervision

- 9.14 If a licensing authority attaches a condition relating to door supervision, and the person carrying out those duties are required by the Private Security Industry Act 2001 (PSIA) to hold a licence, s. 178 of the Gambling Act 2005 prescribes that the requirement under PSIA will be treated as if it were a condition of the premises licence. There is, however, an exemption from the PSIA licensing requirement for in-house employees working as door supervisors at casino and bingo premises, details of which can be found in Part 33 of this Guidance.
- 9.15 S.178 defines door supervision as requiring someone to be responsible for 'guarding the premises against unauthorised access or occupation, against outbreaks of disorder or against damage'.

<sup>21</sup> Part 1(5) of The Gambling Act 2005 (Mandatory and Default Conditions) Regulations

**S.179 – pool betting**

- 9.16 S.179 provides that a betting premises licence in respect of a track may not authorise pool betting to take place, other than in respect of dog or horse racing and only where the acceptance of bets is by the holder of the betting premises licence, or in accordance with arrangements made by them. In the case of dog racing, this preserves the existing arrangements at dog tracks where the totalisator is operated by or on behalf of the occupier of the track. In the case of horse racing, pool betting can only be made available at racetracks by Betfred following their purchase of the Tote. As part of the sale process Betfred received an exclusive seven year licence (until July 2018) to operate pool betting operations on UK racecourses.

**S.182 – access by children and young persons to tracks**

- 9.17 S.182 applies only to a betting premises licences in respect of tracks. It requires the licensee to ensure that children and young persons are excluded from any area in which facilities for betting are provided and from any area where a gaming machine (other than a category D gaming machine) is situated. The exception to this, for betting areas only, is on race days at dog and horse racing tracks, that is on those days when racing occurs or is expected to take place. In those cases, under-18s may have access to betting areas but licensing authorities should note that this exception does not affect the prohibition on betting by children and young persons.

**S.183 – Christmas day**

- 9.18 S.183 applies a condition to all premises licences that facilities for gambling must not be provided on Christmas Day, namely the period of 00.01 hours on 25 December until 00.00 hours on 26 December.

Type of premises licence	Section of the Act								
	s.172	s.173	s.174	s.176	s.177	s.178	s.179	s.182	s.183
All premises licences	X					X			X
Bingo premises licence					X				
Casino premises licence		X		X	X				
Small casinos			X						
Large casinos			X						
Betting premises licence		X							
Betting premises licence in respect of a track							X	X	

**Conditions attached through regulations made by the Secretary of State or Scottish Ministers – all premises**

- 9.19 The Secretary of State and Scottish Ministers have set out conditions to be attached to all premises licences in the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 and the Gambling Act 2005 (Mandatory and Default Conditions) (Scotland) Regulations 2007.<sup>22</sup>
- 9.20 Conditions under these Regulations fall into two categories:
- mandatory conditions made under s.167 of the Act that must be attached to premises licences
  - default conditions made under s.168 of the Act, that attach to the premises licence unless the licensing authority decides to exclude them, using its powers under s.169.

<sup>22</sup> SI 2007/1409 Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007  
SSI 2007/266 Gambling Act 2005 (Mandatory and Default Conditions) (Scotland) Regulations 2007

- 9.21 Licensing authorities should note that mandatory conditions made under these regulations are set with the intention that no further regulation in relation to that matter is required. Therefore, it is extremely unlikely that licensing authorities will need to impose individual conditions in relation to matters that are already dealt with by mandatory conditions. Licensing authorities should only consider doing so where there are regulatory concerns of an exceptional nature, and any additional licence conditions must relate to the licensing objectives.
- 9.22 Mandatory conditions applying to all premises licences are set out at paragraph 9.25 onwards. In addition, there are mandatory conditions that relate to particular category of premises licences. Details of these can be found in Parts 17-22 of this Guidance.
- 9.23 Licensing authorities have more flexibility in relation to default conditions and may exclude a default condition and substitute it with one that is either more or less restrictive. Licensing authorities should note, however, that default conditions are intended to reflect normal industry operating practices. In circumstances where default conditions are excluded, the Commission would generally expect them to be replaced by other conditions, given the requirements of s.153. Where the condition is more restrictive, the licensing authority should ensure that they have clear regulatory reasons doing so.
- 9.24 Default conditions under the regulations set out above relate to particular categories of premises licence and details can be found in Parts 17-22 of this Guidance.

### **Mandatory conditions**

- 9.25 The following mandatory conditions apply to all premises licences:
- the summary of the terms and conditions of the premises licence issued by the licensing authority must be displayed in a prominent place on the premises
  - the layout of the premises must be maintained in accordance with the plan that forms part of the premises licence
  - neither National Lottery products nor tickets in a private or customer lottery may be sold on the premises.
- 9.26 There are also mandatory conditions attaching to each type of premises licence controlling access between premises. There can be no direct access between one premises licensed under the Act and another premises licensed under the Act, with the following exceptions:
- between licensed betting premises
  - between bingo premises and alcohol-licensed premises/clubs with a club gaming or club machine permit/family entertainment centres (FECs) and tracks
  - between tracks and alcohol-licensed premises/clubs with a club gaming or club machine permit/FECs/betting premises and bingo premises
  - between FECs and alcohol-licensed premises/bingo halls/clubs with club gaming or club machine permit and tracks.

### **Default conditions**

- 9.27 S.169 of the Act gives licensing authorities:
- the ability to exclude from premises licences any default conditions that have been imposed under s.168
  - the power to impose conditions on premises licences that they issue.

- 9.28 Licensing authorities should make decisions on conditions on a case-by-case basis, and in the context of the principles of s.153. They must aim to permit the use of premises for gambling and so should not attach conditions that limit their use except where it is necessary in accordance with the licensing objectives, the Commission's codes of practice and this Guidance, or their own statement of policy. Conversely, licensing authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions.
- 9.29 Licensing authority statements of policy will need to consider the local circumstances which might give rise to the need for conditions. Where there are specific risks associated with a particular locality, the licensing authority might decide to attach conditions to the premises licence to mitigate those risks. For example, local issues associated with a high crime rate may put a premises at risk of not being consistent with the licensing objectives, and specific conditions may be necessary to address the risk.
- 9.30 Where there are risks associated with a specific premises or class or premises, the licensing authority may consider it necessary to attach conditions to the licence to address those risks, taking account of the local circumstances.
- 9.31 Conditions imposed by the licensing authority must be proportionate to the circumstances which they are seeking to address. In particular, licensing authorities should ensure that the premises licence conditions are:
- relevant to the need to make the proposed building suitable as a gambling facility
  - directly related to the premises (including the locality and any identified local risks) and the type of licence applied for
  - fairly and reasonably related to the scale and type of premises
  - reasonable in all other respects.

### **Conditions that may not be attached to premises licences by licensing authorities**

- 9.32 The Act sets out certain matters that may not be the subject of conditions:
- s.169(4) prohibits a licensing authority from imposing a condition on a premises licence which makes it impossible to comply with an operating licence condition
  - s.172(10) provides that conditions may not relate to gaming machine categories, numbers, or method of operation
  - s.170 provides that membership of a club or body cannot be required by attaching a condition to a premises licence (the Act specifically removed the membership requirement for casino and bingo clubs and this provision prevents it being reinstated)
  - s.171 prevents a licensing authority imposing conditions in relation to stakes, fees, winnings or prizes.

## Part 21: Adult gaming centres

- 21.1 Persons operating an adult gaming centre (AGC) must hold a 'gaming machines general operating licence (adult gaming centre)' from the Commission and a premises licence from the relevant licensing authority. They are able to make category B, C and D gaming machines available.

### Protection of children and young persons

- 21.2 No-one under the age of 18 is permitted to enter an AGC. The Act sets out offences at s.46 and s.47 of inviting, causing or permitting a child or young person to gamble, or to enter certain gambling premises. In addition, Social Responsibility (SR) code 3.2.3(3) in the *Licence Conditions and Codes of Practice* (LCCP) states that 'licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises in order to prevent underage gambling.
- 21.3 Licensing authorities will wish to have particular regard to the location of and entry to AGCs to minimise the opportunities for under-18s to gain access. This may be of particular importance in areas where young people may be unsupervised for example, where an AGC is in a complex, such as a shopping centre or airport. Licensing authorities should consider whether their statement of policy can be used to reflect such locally based considerations.

### Gaming machines

- 21.4 Gaming machine provisions by premises are set out at Appendix A. S.172(1) of the Act, as amended, provides that the holder of an AGC premises licence may make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. For example, a premises with a total of 25 gaming machines available for use can make five or fewer category B3 gaming machines available on those premises.
- 21.5 Premises subject to a licence granted before 13 July 2011 are entitled to make available four category B3/B4 gaming machines, or 20% of the total number of gaming machines, whichever is the greater. AGC premises licences granted on or after 13 July 2011 are entitled to 20% of the total number of gaming machines only. Regulations specify that the category B machines should be restricted to sub-category B3 and B4 machines, but not B3A machines<sup>66</sup>.
- 21.6 Where the operator of an existing AGC premises licence applies to vary the licence and acquire additional AGC premises licences – so that the area that was the subject of a single licence will become divided between a number of separate licensed premises – each separate licensed premises must only contain the permitted machine entitlement. For example, where two separate AGC premises have been created adjacent to each other by splitting a pre-existing premises, it is not permissible to locate eight category B3 gaming machines in one of the resulting premises and none in the other, as the gaming machine entitlement for that premises would be exceeded. Part 7 explains in greater detail what constitutes premises.

### AGC premises licence conditions

- 21.7 Part 9 of this Guidance discusses the mandatory and default conditions that attach to premises licences. Currently there are no default conditions specific to AGCs.

<sup>66</sup> S1 2158 The Categories of Gaming Machine Regulations 2007

**Mandatory conditions**

- 21.8 A notice must be displayed at all entrances to AGCs stating that no person under the age of 18 years will be admitted to the premises.
- 21.9 There can be no direct access between an AGC and any other premises licensed under the Act or premises with a family entertainment centre (FEC), club gaming, club machine or alcohol licensed premises gaming machine permit. There is no definition of 'direct access' in the Act or regulations, although licensing authorities may consider that there should be an area separating the premises concerned, such as a street or cafe, which the public go to for purposes other than gambling, for there to be no direct access.
- 21.10 Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so.
- 21.11 The consumption of alcohol in AGCs is prohibited at any time during which facilities for gambling are being provided on the premises. A notice stating this should be displayed in a prominent place at every entrance to the premises.

**Application for a premises licence  
under the Gambling Act 2005 (standard form)**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

If you are completing this form by hand, please write legibly in block capitals using ink. Use additional sheets if necessary (marked with the number of the relevant question). You may wish to keep a copy of the completed form for your records.

Where the application is—

- In respect of a vessel, or
- To convert an authorisation granted under the Betting, Gaming and Lotteries Act 1963 or the Gaming Act 1968,

the application should be made on the relevant form for that type of premises or application.

**Part 1 – Type of premises licence applied for**

Regional Casino <input type="checkbox"/>	Large Casino <input type="checkbox"/>	Small Casino <input type="checkbox"/>
Bingo <input type="checkbox"/>	Adult Gaming Centre <input checked="" type="checkbox"/>	Family Entertainment Centre <input type="checkbox"/>
Betting (Track) <input type="checkbox"/>	Betting (Other) <input type="checkbox"/>	

Do you hold a provisional statement in respect of the premises? Yes  No

If the answer is "yes", please give the unique reference number for the provisional statement (as set out at the top of the first page of the statement):

**Part 2 – Applicant Details**

If you are an individual, please fill in Section A. If the application is being made on behalf of an organisation (such as a company or partnership), please fill in Section B.

**Section A**

**Individual applicant**

1. Title: Mr  Mrs  Miss  Ms  Dr  Other (please specify)

2. Surname: \_\_\_\_\_ Other name(s): \_\_\_\_\_

*[Use the names given in the applicant's operating licence or, if the applicant does not hold an operating licence, as given in any application for an operating licence]*

3. Applicant's address (home or business – *[delete as appropriate]*):

Postcode:

4(a) The number of the applicant's operating licence (as set out in the operating licence):



4(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made:

5. Tick the box if the application is being made by more than one person.

*[Where there are further applicants, the information required in questions 1 to 4 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".]*

## Section B

### Application on behalf of an organisation

6. Name of applicant business or organisation: Future Leisure Limited

*[Use the names given in the applicant's operating licence or, if the applicant does not hold an operating licence, as given in any application for an operating licence.]*

7. The applicant's registered or principal address:

Unit 20 Fleetway Business Park 14 - 16 Wadsworth Road, Greenford, Middlesex UB6 7LD

Postcode: UB6 7LD

8(a) The number of the applicant's operating licence (as given in the operating licence):

000-036646-N-318600-006

8(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made:

9. Tick the box if the application is being made by more than one organisation.

*[Where there are further applicants, the information required in questions 6 to 8 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".]*

## Part 3 – Premises Details

10. Proposed trading name to be used at the premises (if known):

11. Address of the premises (or, if none, give a description of the premises and their location):

51 CENTRAL PARADE, NEW ADDINGTON, CROYDON, CR0 0JD

Postcode: CR0 0JD

12. Telephone number at premises (if known):

13. If the premises are in only a part of a building, please describe the nature of the building (for example, a shopping centre or office block). The description should include the number of floors within the building and the floor(s) on which the premises are located.

THE GROUND FLOOR SHOP TYPE PREMISES FORMERLY USED AS A BETTING OFFICE OCCUPYING THE GROUND FLOOR OF A 3 STOREY BUILDING

14(a) Are the premises situated in more than one licensing authority area?

No *[delete as appropriate]*

14(b). If the answer to question 14(a) is yes, please give the names of all the licensing authorities within whose area the premises are partly located, **other than the licensing authority to which this application is made:**

**Part 4 – Times of operation**

15(a). Do you want the licensing authority to exclude a default condition so that the premises may be used for longer periods than would otherwise be the case? No *[delete as appropriate]* *[Where the relevant kind of premises licence is not subject to any default conditions, the answer to this question will be no.]*

15(b). If the answer to question 15(a) is yes, please complete the table below to indicate the times when you want the premises to be available for use under the premises licence.

	<i>Start</i>	<i>Finish</i>	<i>Details of any seasonal variation</i>
Mon	<i>hh:mm</i>	<i>hh:mm</i>	
Tue			
Wed			
Thurs			
Fri			
Sat			
Sun			

16. If you wish to apply for a premises licence with a condition restricting gambling to specific periods in a year, please state the periods below using calendar dates:

**Part 5 – Miscellaneous**

17. Proposed commencement date for licence (leave blank if you want the licence to commence as soon as it is issued): (dd/mm/yyyy)

18(a). Does the application relate to premises which are part of a track or other sporting venue which already has a premises licence? No [delete as appropriate]

18(b). If the answer to question 18(a) is yes, please confirm by ticking the box that an application to vary the main track premises licence has been submitted with this application.

19(a). Do you hold any other premises licences that have been issued by this licensing authority? NO [delete as appropriate]

19(b). If the answer to question 19(a) is yes, please provide full details:

20. Please set out any other matters which you consider to be relevant to your application:

**Part 6 – Declarations and Checklist (Please tick)**

I/ We confirm that, to the best of my/ our knowledge, the information contained in this application is true. I/ We understand that it is an offence under section 342 of the Gambling Act 2005 to give information which is false or misleading in, or in relation to, this application.

I/ We confirm that the applicant(s) have the right to occupy the premises.

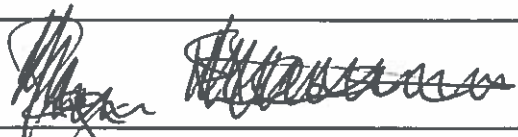
Checklist:

- Payment of the appropriate fee has been made/is enclosed
- A plan of the premises is enclosed
- I/ we understand that if the above requirements are not complied with the application may be rejected
- I/ we understand that it is now necessary to advertise the application and give the appropriate notice to the responsible authorities

**Part 7 – Signatures**

21. Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant, please state in what capacity:

Signature:



Print Name: ROGER ETCHELLS

Date: 16/05/2019 (dd/mm/yyyy) Capacity: DULY AUTHORISED AGENT

22. For joint applications, signature of 2nd applicant, or 2nd applicant's solicitor or other authorised agent. If signing on behalf of the applicant, please state in what capacity:

Signature:

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_ (dd/mm/yyyy) Capacity: \_\_\_\_\_

*[Where there are more than two applicants, please use an additional sheet clearly marked "Signature(s) of further applicant(s)". The sheet should include all the information requested in paragraphs 21 and 22.]*

*[Where the application is to be submitted in an electronic form, the signature should be generated electronically and should be a copy of the person's written signature.]*

**Part 8 – Contact Details**

23(a) Please give the name of a person who can be contacted about the application:

ROGER ETCHELLS

23(b) Please give one or more telephone numbers at which the person identified in question 23(a) can be contacted:

~~0115 954 1111~~

24. Postal address for correspondence associated with this application:

ROGER ETCHELLS, ~~THE BRICKS BUILDING, 100 BRIDGE STREET, LEICESTER, LE1 3EJ~~

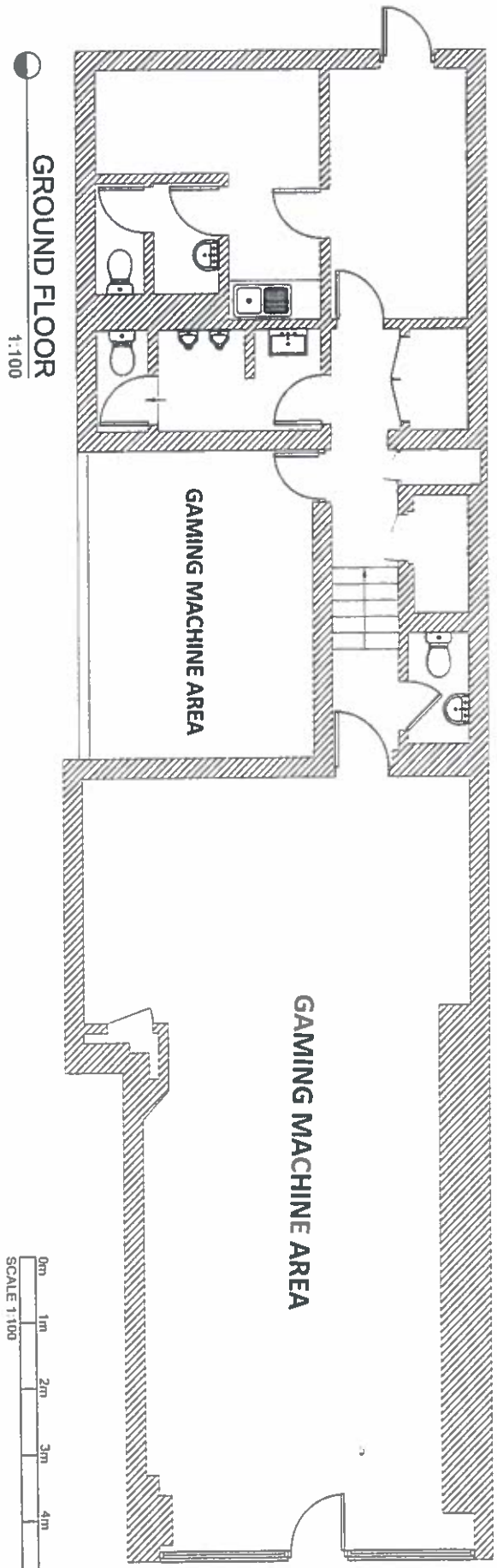
Postcode: LE65 2FR

25. If you are happy for correspondence in relation to your application to be sent via e-mail, please give the e-mail address to which you would like correspondence to be sent:

~~regent@regent.co.uk~~

AS

EXIT TO SERVICE AREA

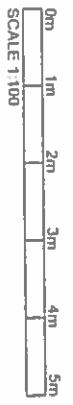


GROUND FLOOR  
1:100

GAMING MACHINE AREA

GAMING MACHINE AREA

ENTRANCE FROM CENTRAL PARADE



PROJECT TITLE

51 Central Parade,  
New Addington,  
CR0 0JL

DRAWING TITLE

ADULT GAMING CENTRE

FUTURE LEISURE LIMITED

SCALE	SIZE	DRAWING
1:100	A4	230030
DRAWN	CHECKED	DATE
RD/DDO	BB	16/04/19

FOURWALLS™

SUITE 114, BUILDING THREE  
WATCHMOOR PARK, CAMBERLEY, GU15 3YL  
WWW.FOURWALLS-GROUP.COM



## Local Gambling Risk Assessment

<b>Premises Address</b>	51 Central Parade, New Addington, Croydon, CR0 0JD
<b>Premises License No.</b>	Application Stage GRA
<b>Operating License No.</b>	000-036646-N-318600-010
<b>Local Authority</b>	London Borough of Croydon
<b>Company Details (Name and Address)</b>	Future Leisure Limited, Unit 20 Fleetway West Business Park, 14-16 Wadsworth Road, Greenford, Middlesex, UB6 7LD
<b>Name of Assessor</b>	Gavin Tresidder
<b>Date of Assessment</b>	May 2019
<b>Next Review</b>	On opening in conjunction with local staff

AS

**Locality / Premises**

Licensing Objective	Risks	Control Measures	Level of Risk of Occurrence / Manageability
<p>Protecting children and other vulnerable people from being harmed or exploited by gambling</p>	<p><b>LOCALITY</b></p> <ul style="list-style-type: none"> <li>Rowdown Primary School, Calley Down Cres, New Addington Croydon, CR0 0EG</li> <li>Fairchildes Primary School, Fairchildes Ave, New Addington, Croydon, CR0 0AH</li> <li>Good Shepherds Catholic Primary &amp; Nursery School, Dunley Dr, New Addington, Croydon, CR0 0RG</li> <li>Meridian High School 16 Fairchildes Ave, New Addington, Croydon, CR0 0AH</li> <li>Waisey School, King Henry's Drive, New Addington, Croydon, CR0 0PH</li> </ul> <p><b>OTHER:</b></p> <ul style="list-style-type: none"> <li>Addington Heights Care Home, 1 Milne Park W, New Addington, Croydon, CR0 0DN</li> <li>Calley Down Childrens Home (Assisted living facility) 47A Calley Down Cres, New Addington, Croydon, CR0 0EP</li> <li>New Addington Library</li> </ul>	<ul style="list-style-type: none"> <li>Staff to 'patrol' – supervising the whole of the premises</li> <li>Implementation of the BACTA Toolkit policies including 'Challenge 25'</li> <li>Anyone reluctant in providing identification with suspicious behaviour will trigger further investigation. Incident to be logged and customer removed from the area.</li> <li>Age verification incident report (log) maintained on licensed premises and reviewed on regular basis by team staff members</li> <li>Training of staff with 6 monthly refreshers</li> <li>Training and guidance is provided to staff members regarding customer interaction and the implementation of the ID verification procedure.</li> <li>Review self-excluded data to ensure continued exclusion</li> <li>Monitoring customer behaviour and commencing interaction when required</li> <li>Mystery shopper tests by BACTA</li> <li>CCTV coverage of all public areas, office, front and rear door with recording device and ability for management to review remotely online. CCTV to be made available to Police / Local Authority if requested.</li> <li>Posters and 'Stay in Control' leaflets (NB near ATM, toilets as well as in the main trading area)</li> <li>Photo equipment available for self-exclusions</li> </ul>	<p>High of occurrence initially</p> <p>Low of not Managing</p>
<p>Underage customers attempting to enter premises</p>			<p>High of occurrence</p> <p>Low of not Managing</p>
<p>Vulnerable people exposed to gambling</p>			

**Locality / Premises**

Licensing Objective	Risks	Control Measures	Level of Risk of Occurrence / Manageability
<p><b>Intoxicated people entering premises</b></p>	<p>New Addington Centre, 61 Central Parade, New Addington, Croydon, CR0 0JD</p> <ul style="list-style-type: none"> <li>New Addington Leisure Centre</li> <li>Central Parade, New Addington, Croydon, CR0 0JB</li> <li>Addington Community Centre</li> <li>90 Central Parade, New Addington, Croydon, CR0 0JB</li> </ul> <p><b>PREMISES</b></p> <ul style="list-style-type: none"> <li>Consider blind spots</li> <li>Visibility of the entrance</li> <li>Signage</li> <li>Presentation of premises (signage/window display)</li> </ul> <p><b>CUSTOMERS</b></p> <ul style="list-style-type: none"> <li>U18s entering</li> <li>Problem Gambling</li> <li>Providing information</li> <li>Administering self-exclusion</li> <li>Signage</li> </ul>	<ul style="list-style-type: none"> <li>Ensure a stock of leaflets (stay in control and self-exclusion) through weekly checks of stock</li> <li>Contact/sharing information with AGC operators within ½ mile (co-ordinated through BACTA)</li> <li>Premises laid out to avoid blind spots</li> <li>Ensure entrance readily visible from throughout the premises</li> <li>Signage &amp; window display not to attract under 18s</li> <li>Machines to be properly labelled</li> <li>The entrance layout enable staff to monitor those entering the premises</li> </ul>	<p style="text-align: center;"><b>LOW / LOW</b></p>



Locality / Premises


Licensing Objective	Risks	Control Measures	Level of Risk of Occurrence / Manageability
<p>Preventing Gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime</p> <p>Crime and or disorder occurring within licensed premises</p> <p>Money Laundering taking place on the premises</p>	<p><b>LOCALITY</b> Assess threats</p> <p><b>PREMISES</b> Layout to be considered</p> <ul style="list-style-type: none"> <li>Consider 'blind spots'</li> <li>Visibility of the entrance</li> </ul> <p><b>CUSTOMERS</b> Customer behaviour</p> <p><b>STAFF</b></p> <ul style="list-style-type: none"> <li>Personal protection</li> <li>Security</li> <li>Staff behaviour</li> </ul> <p><b>OTHER</b></p> <ul style="list-style-type: none"> <li>2 listed betting shops within distance (William Hill/Betfred)</li> </ul> <p><b>DEMOGRAPHIC</b></p> <ul style="list-style-type: none"> <li>Situated within shopping area</li> <li>53% female, 47% male population, 84% born in UK. Average age 34 (from 2011 census)</li> </ul> <p><b>TRANSPORT &amp; CAR PARK FACILITIES</b></p> <ul style="list-style-type: none"> <li>Central Parade Car Park</li> </ul>	<ul style="list-style-type: none"> <li>CCTV coverage of all public areas, office, frontage and rear door with recording device and ability for management to review remotely online</li> <li>Social Responsibility training and incident recording logs available to all staff.</li> <li>Timer locked safe</li> <li>Intruder alarm installed and regularly serviced</li> <li>Panic Button linked to Police</li> <li>Roller shutters on the exterior when closed</li> <li>Toughened/laminated glass to front window</li> <li>Machine door opening keys only available to management</li> <li>Log visits by Police, Local Authority and Gambling Commission officers</li> <li>Review unusual patterns of play (as per PoCA), 'non-regular' players and consider exclusion/reporting</li> <li>Exclude badly behaved customers</li> <li>Maintain contact with local traders and Police</li> <li>Limited staff floats</li> <li>Staff trained to look out for unusual/dyed notes</li> <li>Staff &amp; management to be alert to customers exchanging large volumes of paper notes for alternative denominations</li> <li>Staff to be alert to customer redeeming stake with little or no play</li> <li>Staff trained about AML basics, strange transaction behaviour</li> <li>CCTV coverage over all cash transactions</li> <li>Most machines operate using cash either in the form of coins or notes</li> <li>TITO machines (if present) have built in software protection to identify suspicious activity and alert staff.</li> </ul>	<p>LOW / LOW</p>

AS

Locality / Premises			
Licensing Objective	Risks	Control Measures	Level of Risk of Occurrence / Manageability
		<ul style="list-style-type: none"><li>• Company registered to receive crime bulletins from BACTA.</li><li>• Customer interaction may provide knowledge of criminal background and/or association leading to closer security and monitoring of such a customer.</li><li>• Customer are efficiently monitored throughout the time they are on the premises to satisfy age requirements, prevention of machine related crime (money laundering).</li><li>• Suspicious activity to be written down in the log</li><li>• Knowledge activity to be handed over to Nominated Officer who will then report to the NCA</li></ul>	

Locality / Premises			Level of Risk of Occurrence / Manageability
Licensing Objective	Risks	Control Measures	
<p style="text-align: center;">Ensuring that gambling is conducted in a fair and open way</p> <p>Risk that sufficient information is not available ensuring that individuals participating in gambling activities are in a position to make informed decisions</p> <p>Protection of customer funds and implementation of clear policies for dispute resolution</p>	<p><b>PREMISES</b></p> <ul style="list-style-type: none"> <li>• Promotions</li> <li>• Advertising</li> </ul> <p><b>EQUIPMENT</b></p> <ul style="list-style-type: none"> <li>• Information clearly displayed</li> <li>• Maintenance</li> <li>• Compliance</li> </ul> <p><b>CUSTOMERS</b></p> <ul style="list-style-type: none"> <li>• Treatment of customers</li> <li>• Complaints</li> </ul>	<ul style="list-style-type: none"> <li>• Clear terms &amp; conditions provided within the licensed premises.</li> <li>• Machines only obtained from licensed suppliers</li> <li>• Implementation of the BACTA Toolkit policies</li> <li>• Training of staff with 6 monthly refreshers</li> <li>• Review advertising material and promotions for compliance with LCCP</li> <li>• Machines to be maintained/serviced regularly</li> <li>• Machines to be turned off should a fault occur</li> <li>• Procedure for making refunds</li> <li>• Details of machine operation and winning combinations to be clearly shown on machines</li> <li>• Complaints policy visibly displayed for customer information. All complaints to be fully investigated in accordance with policy and referred to nominated ADR 3rd party as required</li> </ul>	<p><b>LOW / LOW</b></p>

<b>Action Plan</b>					
	<b>OBJECTIVES</b>	<b>THIS REVIEW DATE</b>	<b>Action Required for review</b>	<b>Actioned</b>	<b>Date Completed</b>
2.1	Protecting children and other vulnerable persons from being harmed or exploited by gambling	On opening			
2.2	Preventing Gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime	On opening			
2.3	Ensuring that gambling is conducted in a fair and open way	On opening			

<b>Assessment Review</b>			
Next review (max. 6 mths)			
Person responsible for premises and implementation	Position	Signature	Date
Gavin Tresidder	Director		9/05/2019

**Proposed conditions for AGC, 51 Central Parade, New Addington.**

1. Staff shall be given training in accordance with the requirements of the Gambling Commission including in conflict management and the protection of children from harm. Refresher training shall be given every 6 months and records of that training shall be kept at the premises and made available for inspection by the police or authorised official from the local authority.
2. A CCTV system shall be installed at the premises covering the entrance and all internal areas. A head and shoulders image to identification standard shall be captured of every person entering the premises. Images shall be kept for a minimum of 28 days and supplied to the police or local authority on request. A staff member who is conversant with the operation of the CCTV system shall be available at all times when the premises are open to the public.
3. A comprehensive incident register is maintained at the premises in accordance with the requirements of the Gambling Commission. Staff shall ensure that details of incidents shall be added to the register within 24hrs of any incident.  
The following details shall be recorded: -  
Date  
Time  
Location  
Persons concerned  
Summary of incident  
Identification of any Emergency Services Personnel who attended
4. A challenge 25 or think 25 policy shall be in operation at the premises with appropriate signage on display throughout the premises. There will be age restriction and no alcohol signage at the door as required by The Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007
5. Prominent, clear notices shall be displayed requesting that customers respect the needs of local residents and leave the premises and the area quietly.
6. An operational Maglock (or similar device) shall be fitted and used at the discretion of the management/staff who will have Risk Assessed its use and keep the issue under review.
7. The number of staff on duty will be a matter of ongoing consultation with the police with an initial review after 3 months of trading.
8. Opening hours shall not be greater than 0700 – 2300 daily.

- 1 The licensee will ensure that patrons are managed to ensure that noise from exiting and entering the premises is kept to minimum.
- 2 The licensee will ensure that there is close and regular liaison with the landlords and residents within close proximity of the premises to address complaints and concerns.
- 3 The licensee will ensure that no noise nuisance be caused to local residents from any activity associated with the premises licence

Completed by: ~~XXXXXXXXXX~~  
Position: Pollution Enforcement Officer  
Date: 12 June 2019

**From:** Lewis, Oliver

**Sent:** 28 May 2019 11:55

**To:** LICENSING <[LICENSING@croydon.gov.uk](mailto:LICENSING@croydon.gov.uk)>

**Subject:** License Application List number 3/20, Application for an Adult Gaming Centre under the Gambling Act 2005, 51 Central Parade, New Addington, Croydon, CRO OJD.

I write as a ward councillor for New Addington South with reference to License Application List number 3/20, Application for an Adult Gaming Centre under the Gambling Act 2005, 51 Central Parade, New Addington, Croydon, CRO OJD.

I understand that the Gambling act 2005 contains three licensing objectives:

- Protecting children and other vulnerable people from being harmed or exploited by gambling;
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime; and
- Ensuring that gambling is conducted in a fair and open way.

I am concerned that the application list number 3/20 will not meet at least two of the three objectives.

Given that there will be more "slot machines" in the venue, with bright lights, and audible sounds I would be concerned that these would lead to children and other vulnerable people to become interested in and potentially addicted to gambling.

Additionally, it is my experience that venues such as this become "honeypots" where people linger and gather outside. I am concerned that by granting a license for an adult gaming centre, that drug dealing could take place outside and other antisocial behaviors could be witnessed. Central Parade is already a hotbed of crime and antisocial behaviour within New Addington and I am concerned that by granting a license for an adult gaming centre, this could be exacerbated.

I have spoken with local police and understand that they are similarly minded. It is important that these concerns are taken seriously.

Best,

Oliver

Oliver Lewis

Councillor for New Addington South

Cabinet Member for Culture, Leisure & Sport.



~~████████████████████~~  
**From:** ~~████████████████████~~  
**Sent:** 11 June 2019 15:16  
**To:** LICENSING  
**Subject:** Gaming premises proposal

Hello

I'm a resident of new Addington and have recently learnt that there are possible plans of a 24 hour gaming premises on the cards for the parade I'm totally against this happening There is already a high amount of Anti social issues on the parade(this can be checked with police), having an establishment which is open 24 hours I believe will add to this problem.

I believe this will attract many to the parade area late into the night which will cause issues, we already have many shop keepers threatened during the day let alone in the night.

Many Families live above the proposed shops aswell as in close proximity of other social housing with young children and this would be a negative for these young children and families.

I don't think having a gaming shop would be helpful in terms of encouraging our youngsters to make the right life choices either.

I really hope that this proposal seriously will be fairly looked at from all sides and not just a financial perspective.

Look forward to hearing from you and the outcome

Kind regards

~~████████████████████~~

Sent from my iPhone

~~Croydon Council~~

**Subject:** RE: Representation

**From:** ~~[redacted]~~ (mailto:~~[redacted]~~)

**Sent:** 12 June 2019 14:06

**To:** LICENSING <LICENSING@croydon.gov.uk>

**Subject:** Re: Representation

My address is ~~[redacted]~~

The objectives look favourable if policed. I feel the premises could be put to better use. Another gambling establishment is not necessary, I would have thought that the council would encourage an alternative which would be more desirable in the run down parade of shops, I know it is hard for small businesses with the high rents and rates and a gambling premise always makes a considerable profit and can afford these, but this will be to the decrement of gambling addicts. I hope I am not alone in opposing this licensing.

Kind regards,

~~[redacted]~~

Sent from my iPad



New Addington Pathfinders Group

Pathfinders Community Hub
The Octagon Building
120 Central Parade
New Addington
Croydon
CR0 0JW
Tel/Fax: 01889 203370
n.a.pathfinders@hotmail.co.uk
www.napathfinders.co.uk

To whom it may concern

9th June 2019

RE: Gaming License Application – Future Leisure Ltd,
51 Central Parade

As a resident group, we have had many comments on our Facebook page concerning this application.

The majority of residents are extremely concerned as there is no precedent for 24 hour, or even any existing gaming establishments that stay open past 11pm, only a couple of delivery only food retailers.

There are residents who live above the shops on Central Parade – having machines going, people congregating and coming and going causes noise disruption – this is not conducive for young children and those needing to get up for work.

With an establishment such as this open all hours, many residents believe it will encourage anti-social behaviour as we have the highest percentage of young people within the Borough situated in Fieldway and New Addington.

There were some positive comments, but these were far outweighed by the concerns granting this license will cause.

We hope Future Leisure will hear this and choose to open at a different location.

Yours faithfully

[Handwritten signatures and names: Chair, Vice Chair, Secretary, Treasurer]

~~XXXXXXXXXXXXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXX~~  
New Addington  
Croydon  
~~XXXXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXX~~

11.06.2019

Re: Premises of 51 Central Parade. New Addington. Croydon. CRO OJD

Dear Licensing team.

I am writing this letter to lodge my objection to the above shop premises opening as a Gambling Centre.

My reasons for this objection are, we live in an area that is often described as being a high deprivation and poverty area, and as someone who works as a volunteer at Central Parade two days a week, we already suffer from people begging, and asking for money for food and drink, who then take the money straight into the betting shops that are already up there.

Whilst I have no doubt that the premises will operate lawfully, they cannot control what goes on outside, and this is where my problem lies, as people are already feeling intimidated by the few people we have begging at the Parade already, and I feel this situation can only get worse, especially when we have a high number of elderly & infirm people who have to use the shops, and are already afraid at times.

Then we have the antisocial element for the residents that live there, there is already a high proportion of ASB in the stairwells, from noise or urinating in the stairwells, I feel this can only get worse as those hanging around outside the said premises will not be able to just keep going inside, and there is no toilet facilities nearby.

As a resident of New Addington, and a local volunteer who is based up at Central Parade, I feel this facility will not serve any purpose than to cause problems, for residents and shoppers.

Yours sincerely.

~~XXXXXXXXXXXXXXXXXXXX~~

~~XXXXXXXXXXXXXXXXXXXX~~

~~XXXXXXXXXXXXXXXXXXXX~~

~~XXXXXXXXXXXXXXXXXXXX~~

New Addington

Croydon

Surrey

~~XXXXXXXXXXXX~~

~~Redacted~~

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**From:** ~~Redacted~~ <~~Redacted~~>  
**Sent:** 14 June 2019 20:19  
**To:** LICENSING  
**Subject:** Re: Adult Gaming Centre

**Categories:** ~~Redacted~~

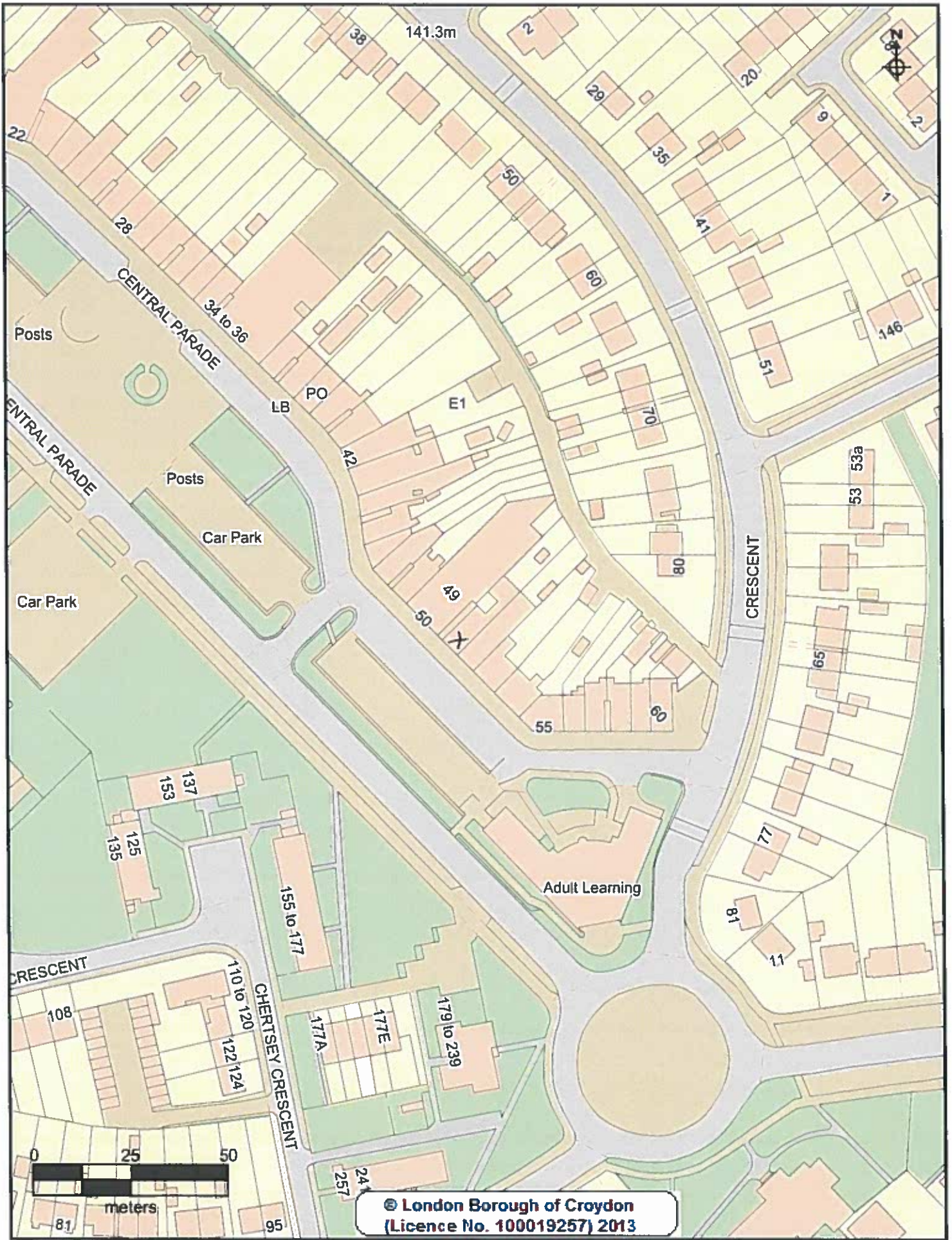
The Licensing Team

I have been notified that a license for adult gaming was submitted 17th May 2019 for 51 Central Parade . As a local resident I am writing to register that I oppose this application for the following reasons. There is already anti social behaviour on the parade at times and feel this could increase if applicant is approved. I'm concerned that this could discourage vulnerable people like the elderly for using the parade.

My name is ~~Redacted~~ address is ~~Redacted~~

Regards

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